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| <h2 style="margin: 0;">TRANSMITTAL FORM</h2> <p style="margin: 5px 0;">(to be used for all correspondence after initial filing)</p> | Application Number | 09/869,282 | |
| | Filing Date | June 25, 2001 | |
| | First Named Inventor | D. Laksen SIRIMANNE | |
| | Group Art Unit | To Be Assigned | |
| | Examiner Name | To Be Assigned | |
| Total Number Of Pages In This Submission | 7 | Attorney Docket No. | 412692000403 |

| ENCLOSURES (check all that apply) | | |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declarations <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Renewed Petition Under 37 CFR § 1.47(a) - 3pgs. <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ | <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Executed Declaration (3pgs.) and Postcard. |
| | | <div style="border: 1px solid black; padding: 5px; min-height: 80px;"> Remarks </div> |

| SIGNATURE OF APPLICANT, ATTORNEY OR AGENT | |
|---|--|
| Firm or Individual Name | Cameron A. King, Reg. No. 41,897 Morrison & Foerster LLP 425 Market Street San Francisco, California 94105-2482 |
| Signature | |
| Date | June 18, 2002 |

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Chase Trombella

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PATENT
Docket No. 412692000403

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Chase Trombella

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

D. Laksen SIRIMANNE et al.

Serial No.: 09/869,282

Filing Date: June 25, 2001

For: DEVICES AND METHODS FOR
MARKING OF A BIOPSY CAVITY (AS
AMENDED)

Examiner: To Be Assigned

Group Art Unit: To Be Assigned

RENEWED PETITION UNDER 37 C.F.R. §1.47(a)

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231
ATTN: PCT Legal Office

Dear Sir:

In response to the Decision on Petition under 37 CFR 1.47(a) dated May 10, 2002 in the above-referenced application, which dismissed the prior-filed Petition under 37 CFR 1.47(a) of February 27, 2002 without prejudice, Petitioners hereby submit the following Renewed Petition under 37 CFR 1.47(a) and request reconsideration. This Renewed Petition is submitted within the stated two-month period for reply, which expires July 10, 2002, and thus is timely filed.

Background

On February 27, 2002, joint inventors Natalie V. Fawzi, Douglas S. Sutton, Gail S. Lebovic, Stanley R. Conston, Peter M. Wilson, Anne B. Morrissey and Mary E. Bush petitioned the Commissioner under 37 C.F.R. §1.47(a) to complete the above-referenced application on behalf of themselves and fellow joint inventor D. Laksen Sirimanne. The petition included (1) the declarations of joint inventors Fawzi, Sutton, Lebovic, Conston, Wilson, Morrissey and Bush, and (2) the declaration of Steven Kim attesting to facts demonstrating that inventor D. Laksen Sirimanne could not be reached after diligent efforts were made to contact him in order to obtain an executed Declaration. On May 10, 2002, the Office rendered the above-referenced decision dismissing the petition without prejudice.

Declaration of D. Laksen Sirimanne

In the interim, a Declaration of D. Laksen Sirimanne as inventor has been obtained and is submitted herewith. The Declaration was executed on May 28, 2002. This newly executed declaration renders the prior dismissal of the petition moot. It is submitted that, as all joint inventors have now executed declarations, the application is in compliance with 37 CFR 1.497(a) and (b), and in condition to proceed to substantive examination.

No additional petition fee is believed to be required.

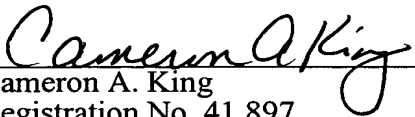
The Commissioner is hereby authorized to charge any additional fees which may be required by this paper or credit any overpayment to **Deposit Account No. 03-1952**.

Petitioners request the Commissioner grant this renewed petition and perfect the filing of this application by accepting the accompanying document(s).

Respectfully submitted,

Dated: June 18, 2002

By:


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Registration No. 41,897

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